



CASCADE COUNTY COMMISSION MEETING
September 27, 2016
COMMISSION CHAMBERS
COURTHOUSE ANNEX, ROOM 111
9:30 A.M.

Notice: These minutes are paraphrased and reflect the proceedings of the Board of Commissioners. MCA 7-4-2611 (2) (b). These minutes were officially approved at the October 25, 2016 meeting.

Commission: Chairman Joe Briggs, Commissioner Jane Weber, and Commissioner Jim Larson.

Present: Carey Ann Haight, Bonnie Fogerty, Jamie Bailey, Alex Dachs, Fernando Terrones, Shirley Marxer Roekin, Donald Roekin, Ronald Gessaman, Casey Mohler, Neil Fortier, Leslie Southworth, Kelsey Gummer, Dana Young, Carson Young, Jenny Young, and Marie Johnson.

Reading of the Commissioners calendar: Bonnie Fogerty, read the weekly calendar.

Treasurer's Monthly Report; Bank Balances, Investments, Revenues and Disbursements. Treasurer Jamie Bailey read this report which can be found in the Agenda packet dated September 27, 2016.

Purchase orders and accounts payable warrants: Commissioner Weber made a **MOTION** to approve purchase orders and accounts payable checks #266418 thru #266594 totaling \$866,780.37 dated 09/06/2016 thru 09/09/2016. And purchase orders and accounts payable checks #266595 through #266803 totaling \$508,291.42 dated 09/12/2016 thru 09/16/2016. **Motion carries 3-0**

Consent agenda: The consent agenda is made up of routine day-to-day items that require Commission action. Any Commissioner may pull items from the Consent Agenda for further discussion/vote.

Approval of the Minutes and Consent Agenda Items: Commissioner Larson made a **MOTION** to approve minute entries dated August 23, 2016 and September 7, 2016 and the approval of routine contracts as follows;

♦ **Resolution 16-90:** In the matter of road approaches, permits, setbacks and mailbox placement as well as applications and permits for making excavations on Cascade County road right-of-way. *R0328938*

♦ **Contract 16-175:** MT DEQ Notice of Intent (NOI) Pesticide Application MTG870000, for Cascade County's Weed and Mosquito Division. Effective Dates: November 1, 2016 - October 31, 2021. Renewal Cost: \$250. *R0328841*

♦ **Contract 16-176:** Emergency Management Performance Grant (EMPG) EMD-2016-EP-00002, FFY 2016-2017 State and Local Agreement between the State of Montana and Cascade County. Effective Dates: October 1, 2016 - September 30, 2017.

Total Federal Amount: \$98,920.76. (50% County Match) *R0328937*

♦ **Contract 16-177:** Cascade County Copper Roof Replacement CTEP Project, Change Order #002. Original Contract: \$3,578,900. Amended Contract: \$3,501,500. Increased Amount: \$158,441.80. New Contract Amount: \$3,659,941.80. (Ref: Contract 16-77, R0323122, Contract 16-136, R0326794). *R0328842*

♦ **Contract 16-63:** Agreement between the Cascade County Treasurer's Department and GovTeller for Service, Site and Convenience Fee Processing of the new credit card machines

at the Treasurer's Office City County Health Department. *This contract was pulled from the Consent Agenda*

♦ **Resolution 16-91:** Budget Appropriation for travel reimbursement from Montana State WIC Breastfeeding grant for CLC training and Denver Breastfeeding Conference attendance. Total Amount: \$5,201 (Ref: Contract 15-156, R0314322) **R0328845**

COMMUNITY HEALTH CARE CENTER

♦ **Contract 16-178:** HRSA Notice of Award No. HC0CS00566-15-03, Title: Health Center Cluster Budget: 06/01/2016-05/31/2017. Addition of Psychiatry Services. (No change in funding) (Ref: Contract 16-93, R0323918 & Contract, 16-174) **Motion carries 3-0**

R0328843

AGENDA ITEM #1

Public Hearing:

Discontinue a portion of a county road being Truly Bench Road from 317/319 address mailbox South to Highway 330 Section 29, Township 19 North, Range 3 East, to Section 12, Township 18N, Range 2 East. Cascade County, Montana. Initiated by: Dana & Carson Young

Public Hearing -

Chairman Briggs opened the public hearing at 9:41 a.m. and recessed the regular meeting.

Reading of the Public Notice -

The reading of the public notice was waived without objections and made part of the record (see exhibit "A").

Staff Presentation -

Alex Dachs read the background which is found in Agenda Item #1 dated September 27, 2016.

Call for Applicant - Chairman Briggs called for Applicants

Dana Young 317 Truly Bench Road- questioned the need for him to have the property surveyed in the next 6 months. He also stated that he was not aware of that.

Chairman Briggs stated that he would need to have this surveyed so that the ownership of the road would be transferred on the survey.

Donell Roehm 924 Milligan Road - stated that he depends on this road and is concerned about him having access.

Commissioner Larson stated that there will need to be an easement created to allow access.

Written Testimony- Chairman Briggs called for written testimony in which there was none.

Call for Proponents -

Chairman Briggs called for Proponents

Ronald Gessaman 1006 36th Ave NE mentioned he knew of a similar process of an abandonment which became expensive and suggested that they find a good cheap attorney. Chairman Briggs called for Proponents three times with no one coming forward to speak.

Call for Opponents -

Chairman Briggs called for Opponents three times in which there were none.

Informational Witnesses - Chairman Briggs called for Informational Witnesses in which there were no further comments.

Close of the Public Hearing-

Chairman Briggs closed the Public Hearing at 9:48 a.m.

There was further discussion about the survey being completed in 6 (six) months; otherwise the road abandonment would become null and void.

Shirley Roehm 654 Milligan Road questioned who proceeds with the easements and survey?

Chairman Briggs informed her that a surveyor needs to be hired to create the survey and the easements. He also suggested that they work with the Planning Department to finalize this process.

Commissioner Weber made a **MOTION** to approve Resolution 16-89 discontinuing that portion of the county road being Truly Bench Road from 317/319 address mailbox South to Highway 330 Section 29, Township 19 North, Range 3 East, to Section 12, Township 18N, Range 2 East. Cascade County, Montana as described within this report and as identified by map subject to the following conditions. *20328844*

1. The discontinued road revert to the ownership of the adjacent property owner with the concurrence of any and all property owners, and
2. The petitioner causes to be filed a Certificate of Survey delineating the boundaries of the affected property within six (6) months of the date of the resolution to discontinue said portion of road
3. Provide easement to all property owners in the vicinity. *This condition was added to the motion.*

Motion carries 3-0

Public Participation in decisions of the Board and allowance of public comment on matters the Commission has jurisdiction, on items not covered by Today's agenda. (MCA 2-3-103) Chairman Briggs called for public comment,

Neil Fortier 509 1st Avenue South NeighborWorks presented a conceptual plan for an apartment complex called Rock Cross Commons (See Exhibit "B") located south of the college. He also stated that it would be located on a 10-acre parcel with ten (10) to eleven (11) apartment buildings, which would be annexed to the City of Great Falls. There was further discussion concerning this complex.

Ronald Gessaman 1006 36th Avenue NE announced that he liked the project that Mr. Fortier presented. He continued by stating he wanted to dispute the September 6, 2016 Commission meeting. He provided the Commission some email communication concerning the requests to obtain an audio recording of the meeting and the draft typed minutes. (See Exhibit "C") Mr. Gessaman also provided a letter from Mr. Lieberts' attorney (See Exhibit "D") concerning the request for the audio recording. Mr. Gessaman also shared his concerns about the County adopting a policy on obtaining records, adopting a Code of Conduct for County Boards, and Calumet tax abatements.

Adjournment: Chairman Briggs adjourned this Commission meeting at 10:25 a.m.